IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the August 25, 2006
Criminal IIIrd Bail Application No. 771 of 2006
Order on bail application of accused

CRIMINAL SIDE

Kali @ Bhoop Chandra S/o Sri Dargahi Ram
R/o Vilalge Ghusani
P.S. Bazpur
District Udham Singh Nagar .....Applicant

Versus

State of Uttaranchal .....Opposite Party

Arising out of Case Crime No. 257 of 2004
Under Section 302/307 I.P.C.
P.S. Bazpur
District Udham Singh Nagar

By the court

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case Crime No. 257of 2004 under Sections 302/307 I.P.C., P.S. Bazpur, District Udham Singh Nagar.

Heard Sri R.S. Sammal, learned counsel for the applicant, Sri Dharamveer Sharma learned Senior Advocate appearing on behalf of the complainant, learned A.G.A. and peruse the record.

This is the third bail application on behalf of the applicant, as two bail applications were earlier rejected by me on merit.

The main contention of the applicant in the affidavit filed along with the third bail application is that the trial pending before the court concerned is delayed for no reasonable cause. It also contended that the prosecution is seeking the unnecessary adjournment and not adducing the evidence in spite of the opportunities granted to the prosecution.

Learned counsel for the complainant on other hand has submitted that in this case, the entire evidence has been produced by the prosecution except the doctor and the Investigating Officer. It has also been submitted that the trial is now at this fag end.

Having considered the submission advanced by the learned counsel for the parties, I direct the trial judge to expedite the trial preferable within a period of three months.

With the aforesaid observation, the third bail application is disposed of.

(B.C. Kandpal, J.)

25.08.2006
ASWAL